

# MWH

---

## LAW GROUP

July 14, 2021

VIA ECF

Honorable William Griesbach  
Eastern District of Wisconsin – Green Bay  
125 S. Jefferson Street – Room 102  
Green Bay, WI 54301-4541

**Re: EEOC v. Wal-Mart Stores East, L.P.**  
**Case No: 17-cv-00070**

Dear Judge Griesbach:

We received tonight the Court's updated Special Verdict Form and Jury Instructions. On the Special Verdict Form, Defendant Walmart requests three changes. First, on Question 5, Walmart requests that the word "known" be inserted immediately before the phrase "need to accommodate a disability." Second, given that the Court has inserted three questions on the "qualified person with a disability" issue to correspond with the three claims in the case, Walmart requests that the question about whether it was aware that Ms. Spaeth needed an accommodation due to her disability (Question 2) be repeated after each of the qualified person questions for each claim. Both Questions 6 and 8 (which deal with the termination claim and reinstatement claim, respectively) make reference to a "need to accommodate." Finally, with the instruction to Question 7 as currently written, if the answer is "no", the jury is to proceed to Question 8. However, Question 7 concerns the "qualified individual with a disability" issue, and if the answer to this question is "no", that should end the inquiry.

Sincerely,

/s Emery Harlan

Emery Harlan

cc: Counsel of Record (via ECF)